

Message Text

UNCLASSIFIED

PAGE 01 STATE 042736
ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 JUSE-00 /016 R

DRAFTED BY L/EUR:JWWILLIS:MRP
APPROVED BY L/EUR - JOHN R. CROOK
EUR/NE:D.DONCHI
-----077870 181553Z /64

R 171957Z FEB 78
FM SECSTATE WASHDC
TO AMEMBASSY OSLO

UNCLAS STATE 042736

E.O. 11652: N/A

TAGS:PGOV, NO

SUBJECT: RIGHTS OF ALIENS TO SUE IN U.S. COURTS

1. DEPARTMENT HAS RECEIVED INQUIRIES FROM INDIVIDUALS WHO HAVE SOMEHOW FORMED IMPRESSION FROM THEIR CONTACTS WITH EMBASSY THAT ALIENS CANNOT BRING SUIT IN U.S. FEDERAL COURTS.

2. AS EMBASSY PROBABLY AWARE, THIS IS NOT THE CASE. OUR 1928 TREATY WITH NORWAY CONCERNING FRIENDSHIP, COMMERCE, AND CONSULAR RIGHTS ASSURES THAT NATIONALS OF BOTH PARTIES WILL HAVE ACCESS TO THE COURTS OF THE OTHER PARTY (ARTICLE 1). EVEN IN ABSENCE OF THIS TREATY COMMITMENT, U.S. FEDERAL TRIAL COURTS HAVE JURISDICTION BASED ON ALIENAGE OVER ACTIONS BETWEEN CITIZENS OF A STATE OF THE U.S. AND ALIENS OR FOREIGN NATIONS PROVIDED THE AMOUNT IN CONTROVERSY EXCEEDS \$10,000. ALIENS MAY ALSO SUE IN FEDERAL DISTRICT COURTS FOR THE COMMISSION OF A TORT IN VIOLATION OF THE LAW OF NATIONS OR TREATY OF THE UNITED STATES REGARDLESS OF THE AMOUNT

UNCLASSIFIED

PAGE 02 STATE 042736

IN CONTROVERSY OR WHETHER THE ACTION INVOLVES A CITIZEN OF A STATE OF THE U.S.

3. ALIENS MAY ALSO BRING SUIT IN U.S. COURTS UNDER THEIR ADMIRALTY AND MARITIME JURISDICTION PURSUANT TO THE JONES ACT. VANCE

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ALIENS, COURTS
Control Number: n/a
Copy: SINGLE
Draft Date: 17 feb 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE042736
Document Source: CORE
Document Unique ID: 00
Drafter: JWWILLIS:MRP
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780076-0245
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780239/aaaabham.tel
Line Count: 61
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 59fe07d4-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 22 feb 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3553792
Secure: OPEN
Status: NATIVE
Subject: RIGHTS OF ALIENS TO SUE IN U.S. COURTS
TAGS: PGOV, NO, US
To: OSLO
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/59fe07d4-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014